Application Number	Application/Co	R		under				
Document Code - DISQ		Internal Do	ocument – DC	cument – DO NOT MAIL				
TERMINAL DISCLAIMER	APPROVED		☐ DISAPP	☐ DISAPPROVED				
Date Filed : November 20, 2007	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								
	·							

U.S. Patent and Trademark Office

PTO/SB/25 (11-07)

Approved for use through 11/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) 0102/0237

In re Application of: Yoshiaki TANAKA et al.
Application No.: 10/767,077
Filed: January 30, 2004
For: RECORDING MEDIUM AND SIGNAL PROCESSING APPARATUS
The owner*, VICTOR COMPANY OF JAPAN, LTD., of 100 percent interest in the Instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/767,076 filed on January 30, 2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.
Check either box 1 or 2 below, if appropriate.
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
2. The undersigned is an attorney or agent of record. Reg. No. 31,730
<u> </u>
November 20, 2007 Signature Date
Louis Woo
Typed or printed name
(703) 299-4090 Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) is included.
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/21/2807 MAHMED1 00890973 10767077
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/26 (11-07)

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional) 0102/0237

In re Application of: Yoshiaki TANAKA et al.	
Application No.: 10/767,077	
Filed: January 30, 2004	
For: RECORDING MEDIUM AND SIGNAL PROCESSING APPARATUS	
The owner*, <u>VICTOR COMPANY OF JAPAN. LTD.</u> of <u>100</u> percent interest in the instant except as provided below, the terminal part of the statutory term of any patent granted on the instant application the expiration date of the full statutory term <u>prior patent No. 6,738,561</u> as the term of said prior pate and 173, and as the term of said <u>prior patent</u> is presently shortened by any terminal disclaimer. The owner here granted on the instant application shall be enforceable only for and during such period that it and the <u>prior patent</u> agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors	which would extend beyond nt is defined in 35 U.S.C. 154 by agrees that any patent so at are commonly owned. This
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted of would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any term	ent, "as the term of said prior
Check either box 1 or 2 below, if appropriate.	•
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, governmetc.), the undersigned is empowered to act on behalf of the business/organization.	ent agency,
I hereby declare that all statements made herein of my own knowledge are true and that all statement belief are believed to be true; and further that these statements were made with the knowledge that willful fals made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Co statements may jeopardize the validity of the application or any patent issued thereon.	e statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 31,730	
	•
	November 20, 2007
Signature	Date
Louis Woo	
Typed or printed name	
	(703) 299-4090
	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) included.	•
WARNING: Information on this form may become public. Credit card information sho be included on this form. Provide credit card information and authorization on PTO-2	uld not 038.
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11/21/2007 MAHMED1 00000073 10767077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Application of:

NOV 2 0 2007

Yoshiaki TANAKA et al.

al No. 10/767,077

Filed:

January 30, 2004

For:

RECORDING MEDIUM AND

SIGNAL PROCESSING

APPARATUS

Art Unit: 2621

Examiner: Debelie, Mitiku W.

Atty Docket: 0102/0237

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached hereto are two Terminal Disclaimers in connection with the aboveidentified application.

Also attached is form PTO-2038 authorizing payment in the amount of \$260.00 fee for the Terminal Disclaimers. The Commissioner is hereby authorized to debit insufficient fees from Deposit Account No. 50-0501. A duplicate copy of this authorization is further attached hereto.

Respectfully submitted,

Date: Nov 20, 2007

Louis Woo, Reg. No. 31,730 Law Offices of Louis Woo 717 North Fayette Street Alexandria, Virginia 22314

Phone: (703) 299-4090

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshiaki TANAKA et al.

Serial No. 10/767,077

January 30, 2004 Filed:

RECORDING MEDIUM AND

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Respectfully submitted,

Louis Woo, Reg. No. 31,730

Law Offices of Louis Woo 717 North Fayette Street Alexandria, Virginia 22314

Phone: (703) 299-4090

Date: Nov 20, 200

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			12/11/07	APPL. S. N:	10767077			
To Exam	iner:		Debelie, Mitiku	Art Unit	2621			
From			Henry Jefferson PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	2D68			
SUBJEC	T: Decisio	on on Termina	al Disclaimer(T.D.) filed:					
form pai or have	agraphs i any quest	dentified by t	his informal memo in your next see me or the Special Program E	esults as set forth below. If you a Office action to notify applicant of examiner. THIS IS AN INFORMAL, FRECORD IN THE APPLICATION F.	the T.D. If you disagree INTERNAL MEMO ONLY.			
please ir	nitial, date	and return t	his memo to me. THANK YOU.					
ए	The T.D.	is PROPER a	nd has been recorded (see 14.2	3).				
	The T.D.	is NOT PROP	s NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):					
	Γ.	The TD fee o	Proces and management of the control	ted nor is there any authorization	in the application file for the			
	Γ	his/her inter	the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of s/her interest (and/or the extent of the interest of the business entity represented by the signature) the application/patent (see 14.26 & 14.26.01).					
	Γ		lacks the enforceable only during common ownership clause – needed to overcome a non-statutory patenting rejection, Rule 321(b) (see 14.27.01).					
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a term portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person v	The person who signed the T.D.:					
		is r	not an attorney "of record" (see	14.29 and 14.29.01).				
		[has	s failed to state his/her capacity	to sign for the business entity (se	e 14.28).			
		is r	not recognized as an officer of th	ne assignee (see 14.29 & possible	14.29.02).			
		nor is the re (see 37 CFR	el and frame number specified a 3.73(b) and 1140 O.G. 72). NO	n of title from the original inventor(s) to assignee has been submitted, pecified as to where such evidence is recorded in the Office 72). NOTE: This documentary evidence or the specifying of the reel and T.D. or in a separate paper of record in the application (see 14.30).				
		The T.D. is not signed (see 14.26 & 14.26.03).						
	r		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).					
	<u> </u>	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The period d	isclaimed is incorrect or not spe	cified (see 14.26, 14.27.02 or 14.	26.03).			
	Γ	Other:						
	Γ		o request refund (see 14.36). N heck this item.	OTE: If already authorized, credit	refund to deposit account			
have a	ppropriate	ely notified ap	plicant(s) of the status of the Te	erminal Disclaimer filed in this cas	e.			
- -x Initia	le ·	Dat	re:		Log Date:			